

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1,3-8 and 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown.

Regarding claims 1,8 and 15 Brown teaches a housing (col. 2 line 15) having a fluid conduit for receiving the fluid to be monitored 20, a diaphragm 30 positioned at an end of the fluid conduit (col. 3 lines 25-35) and including at least first and second portions (col. 3 lines 56 and 60) , and a transducer 32 bonded to a surface of the first portion of the diaphragm and including piezoresistive elements (col. 3 lines 30-35), said transducer including electronics for sending and processing said signal (abstract). However Brown does not teach a thickness of